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**THE VILLAGE OF WILLOW SPRINGS  
COOK COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 2017-O-07**

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**AN ORDINANCE APPROVING A VARIANCE FOR 11031 W. 84th Place  
IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS**

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**ALAN NOWACZYK, President  
ADENA BASKOVICH, Village Clerk**

**GEORGE BARTIK  
MARIO IMBARRATO  
ANNETTE KAPTUR  
KEVIN J. MALONEY  
KATHRYN STANPHILL  
JERRY STRAZZANTE**

**Trustees**

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## ORDINANCE NO. 2017-O-07

### AN ORDINANCE APPROVING A VARIANCE FOR 11031 W. 84th Place IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

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**WHEREAS**, Petitioner, Martin Garza, has filed with the Village of Willow Springs an application for a variance (the "*Application*"), a copy of which is attached hereto and made a part hereof as Exhibit A, for the property commonly known as 11031 W. 84th Place (the "*Property*"); and

**WHEREAS**, the Property is zoned R-1 Residential and the Petitioner is seeking a variance from the Village Code regarding side yard setbacks; and

**WHEREAS**, the Plan and Zoning Commission held a public hearing on December 7, 2016 and February 1, 2017 to hear testimony and consider the variance, along with all other requested documents submitted by the Petitioner, in accordance with Village Code of the Village of Willow Springs; and

**WHEREAS**, the Plan and Zoning Commission issued a written recommendation to the Village Board that a variance of 2.5 feet side yard setbacks be approved (the "*Recommendation*"), a copy of which is attached hereto and made a part hereof as Exhibit B; and

**WHEREAS**, the Application and Recommendation have been reviewed by staff and the Building Department Consultant; and

**WHEREAS**, the Village Board have also reviewed the Recommendation of the Plan and Zoning Commission (Exhibit B), and considered the testimony presented at the April 13, 2017 Village Board meeting; and

**WHEREAS**, the President and the Board of Trustees of the Village of Willow Springs have reviewed the Application, Recommendation and Testimony and, after due consideration, have determined that it is in the best interests of the Village to approve a 2.5 foot variance.

**NOW, THEREFORE, BE IT ORDAINED** BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**SECTION 2:** The written findings of fact and recommendation of the Plan and Zoning Commission are hereby accepted and incorporated herein and made a part hereof, as if fully set forth in their entirety.

**SECTION 3:** The Village President and Board of Trustees have reviewed the Application, Recommendation and Testimony and agree to approve the variance allowing a 2.5 foot side yard setback on the Property in accordance with the application attached hereto as Exhibit A.

**SECTION 4:** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.


**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** This ordinance shall be in full force and effect from and after its passage, approval by the Village Board, and publication as provided by law.

ADOPTED this 13th. day of April, 2017, pursuant to a roll call vote as follows:

	PRESENT	ABSENT	AYE	NAY	ABSTAIN
Bartik	✓		✓		
Imbarrato	✓		✓		
Kaptur	✓		-	✓	
Maloney	✓		✓		
Stanphill	✓		✓		
Strazzante	✓		✓		
(Mayor Nowaczyk)	✓				
TOTAL	7	<del>0</del>	5	1	<del>0</del>

APPROVED this 13th. day of April, 2017.

  
 Alan Nowaczyk, Village President

ATTEST:

  
 Adena Baskovich, Village Clerk

STATE OF ILLINOIS       )  
                                      ) SS  
COUNTY OF COOK        )

**CERTIFICATION**

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE No. 2017-O-07** "AN ORDINANCE APPROVING A VARIANCE FOR 11031 W. 84th Place IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS" adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on April 13, 2017.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 9th. day of March, 2017.



Adena Baskovich, Village Clerk  
Village of Willow Springs, Cook County, Illinois

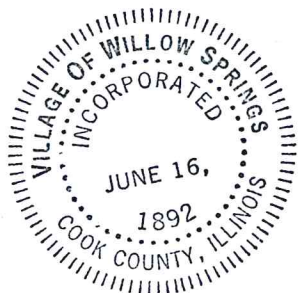


EXHIBIT A  
*Application for Variance*

Village of Willow Springs  
Zoning Application

**IMPORTANT NOTICE  
TO  
APPLICANTS**

Upon filing with the Village Clerk's office, the Application process will be as follows:

1. The Application will be reviewed by Village staff to determine if it is completed, the appropriate relief is requested, and the proper fee has been submitted. **The application is not deemed accepted and ready for processing until the staff review is completed and you are so notified. If the application is not complete, it will be returned to you with an explanation and instructions to complete the application.**
2. Upon acceptance of the completed Application, it will be placed on the Agenda at the next Village Board meeting for referral by the Village Board to the Plan Commission for required public hearings or meetings. The Village Board meets on the second and fourth Thursdays of each month, unless rescheduled for holidays.
3. The Plan Commission will schedule, in accordance with public notice requirements, the public hearings/meetings required. The Plan Commission meets on the first Wednesday of each month.
4. Applicants and their professionals are urged to review the Village of Willow Springs Zoning and Subdivision Ordinances in order to file and present all documentation and evidence necessary, and in the form required, for the particular zoning or subdivision requested.



VILLAGE OF WILLOW SPRINGS,  
COOK COUNTY, ILLINOIS

APPLICATION FOR ZONING AMENDMENT,  
VARIATION, SPECIAL USE PERMIT,  
SPECIAL USE-PLANNED UNIT DEVELOPMENT,  
AND SITE PLAN REVIEW

## PLEASE TYPE OR PRINT

TO: Village Clerk  
Village of Willow Springs  
One Village Avenue  
Willow Springs, IL 60480

Date: \_\_\_\_\_, 20\_\_\_\_

1. Applicant: Martin Garza Phone: 773-6124600  
Address: 11031 W. 84TH PL. Fax: \_\_\_\_\_

2. Owner: Martin Garza Phone: 773-6124600  
Address: 11031 W. 84TH PL. Fax: \_\_\_\_\_

3. An Applicant for a Zoning Amendment, Special Use Permit, Variation or Site Plan Review must have a present legal interest in the property, e.g. owner, contract purchaser or lessee. If the Applicant is not the owner of the property which is the subject of this Application, he must submit with this Application a letter of authorization from the owner of the property.

4. Address of Property: 11031 W. 84TH PL. Willow Springs

5. Legal Description of property: LOT 8 IN WILLOW WEST ESTATES UNIT NO. 3  
DEMS A SUBDIVISION OF PART OF THE NORTH 1/2, OF SOUTHWEST  
1/4, OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 12, EAST OF  
THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

6. Permanent Real Estate Index No.: 18-32-307-017-0000

7. Nature of request (check all that apply):  
☐ Zoning Amendment  
☒ Variation (ENCROACHMENT)  
☐ Special Use  
☐ Special Use-Planned Unit Development  
☐ Site Plan Review

8. If this Application is for a Zoning Amendment or Site Plan Review, answer the following:

(A) Present zoning classification of property: \_\_\_\_\_

(B) proposed zoning amendment: \_\_\_\_\_

(C) Existing structure(s) on property: \_\_\_\_\_

(D) Size of property, acreage and/or square feet: \_\_\_\_\_

(E) Describe the present uses on the property and proposed uses if rezoned: \_\_\_\_\_

**NOTE:** All Applicants for Zoning Amendment must review Village Code Section 9A-1-7 and be prepared to present evidence to the Plan Commission or other hearing body to support the necessary findings of fact required in accordance with the standards set forth therein.

All Applicants for Site Plan Approval must review Village Code Section 9A-1-9 to comply with all Site Plan Review approval requirements.

(F) If the property is to be improved, set forth a brief description of the improvements to be made:



9. If Application is for a Variation, answer the following:

- (A) Present zoning classification of property: R-1 SINGLE FAMILY RESIDENCE  
(B) Proposed variation request: ENCROACHMENT OF SIDE YARD (4'-4")  
VILLAGE CODE SECTION 9A-1-4: INTENSITY OF USE OF  
LOT; SETBACK LINES: B. SIDE YARDS (5 FEET REQUIRED)  
(C) State the nature of the hardship or practical difficulty requiring the request for variation: \_\_\_\_\_

(D) Describe existing structure(s) on property: S/F RESIDENCE, SHED,  
AND PROPOSED SHED

(E) Size of property, acreage and/or square feet: 11,068 SQUARE FEET

**NOTE:** All Applicants for Variation(s) must review Village Code Section 9A-2-3 (Standards for Variations) and 9A-2-4 (Authorized Variations) and be prepared to present evidence to the Zoning Board of Appeals or other hearing body to support the necessary findings of fact required in accordance with the standards set forth therein.

10. If the Application requests a Special Use Permit which includes a Planned Unit Development, answer the following:

- (A) Present zoning classification of property: \_\_\_\_\_  
(B) Proposed special use requested: \_\_\_\_\_

(C) State reasons why the special use is requested: \_\_\_\_\_

(D) Describe existing structure(s) on the property: \_\_\_\_\_

(E) Size of property, acreage and/or square feet: \_\_\_\_\_

**NOTE:** All Applicants for Special Use Permit must review Village Code Section 9A-1-5 and/or 9A-1-5-1 for a Planned Unit Development and be prepared to present evidence and required documentation to the Plan Commission to support the necessary findings of fact required in accordance with the standards set forth therein.

11. Documents to be submitted with Application:

For all matters, an Applicant must submit the following:

- (A) Ten (10) copies of a recent (not more than 6 months old) survey of the property prepared by an Illinois Registered Land Surveyor in accordance with Illinois Land Survey Standards locating all easements of record, improvements and building lot lines;  
(B) Proof of ownership (Title Policy, etc.) or evidence of the Applicant's interest in the property.  
(C) Such other drawings and plans, including Site Plans, Landscape Plans, building elevations and engineering drawings as are required by the Village Code for necessary approvals.

12. Fees and Cost Reimbursement: Section 9A-2-6 of the Village Code of the Village of Willow Springs, 1983, as amended, requires all Applicants for a Zoning Amendment, Variance, Special Use or Site Plan Review to reimburse the Village for all legal, engineering, planning or other necessary fees and costs, including publication charges incurred in connection with the Application and hearing process. ***This requirement is in addition to the Application fee to be paid when the Application is filed. Attached hereto, and made a part of this Application is a separate form to be completed, signed by the owner(s) of the property and the Applicants and submitted with this Application.***

13. When the Village Clerk receives this Application, completed as required together with the filing fee and supporting documentation required herein, it will be referred to the President and Board of Trustees for referral to the Plan Commission for the necessary public hearing and/or meeting. The Applicant will be notified of the date of hearing or meeting.



\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Applicant (If more than one)

**AFFIDAVIT OF APPLICATION**

STATE OF ILLINOIS )  
                                  ) S.S.  
COUNTY OF COOK )

The undersigned being first duly sworn, states he/she has read and completed the foregoing Application by him/her subscribed; and that the information contained therein and in the attached documents are true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Applicant

Subscribed and sworn to  
Before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

**VILLAGE CLERK'S OFFICE ONLY**

Date filed: \_\_\_\_\_, 20 \_\_\_\_.

Date paid: \_\_\_\_\_, 20 \_\_\_\_.

Documents submitted (list): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Referred to Village Attorney on: \_\_\_\_\_, 20 \_\_\_\_.

Referred to President  
And Board of Trustees on: \_\_\_\_\_, 20 \_\_\_\_.

Section 9A-2-6 entitles "Fees" of the Village of Willow Springs Village Code states:

9A-2-6: **FEES**

A. Applications for a Variation, Special Use, Special Use – Planned Unit Development, Zoning Amendment or Site Plan Review shall be made in the office of the Village Clerk on forms provided by the Village Clerk. The applications shall be accompanied by a nonrefundable fee in the following amounts:

<u>Relief Required</u>	<u>Application Fee</u>
1. Variations	\$400.00
2. Special Use	\$750.00
3. Special Use – Planned Unit Development	\$750.00
4. Site Plan Review	\$750.00
5. Zoning Amendment	\$750.00

An applicant shall pay the appropriate application fee for each approval required. By way of example, if the applicant requires a Zoning Amendment (\$750.00), Site Plan Review (\$750.00), and Variation(s) (\$400.00), the total application fee payable is \$1,900.00.

- B. The fee for filing a Notice of Appeal for review of any order, requirement, decision or determination of the Building Commissioner shall be Five Hundred and 00/100 Dollars (\$500.00). This fee shall be paid to the Office of the Village Clerk prior to filing the Notice of Appeal and is nonrefundable. A receipt from the Village Clerk evidencing payment of the fee shall accompany the Notice of Appeal when filed with the Plan Commission.
- C. In addition to the payment of the foregoing fees in subsections A and B of this Section, the applicant, or owner of the subject property, if different, or person appealing in the case of an Appeal, shall reimburse the Village (or pay directly to the Village's consultants if so directed by the Village) all expenses, costs and fees incurred by the Village in its sole judgment in connection with the consideration and review of applications for Variation(s), Special Use, Special Use – Planned Unit Development, Zoning Amendment, Site Plan Review or an Appeal. Such costs shall include, but not be limited to: stenographic fees; engineering review fees; traffic engineer fees; financial consultants; planning consultants; landscape consultants; and other consulting fees; attorneys' fees; public hearing and other publication charges; and recording charges. These charges shall be paid within seven (7) days after an invoice is submitted to the applicant, owner or appellant by the Village Clerk or person performing the service, but in no event shall the Plan Commission or Village Board of Trustees take any final action or render any final decision on any application or Appeal prior to payment of all invoiced items. These fees and charges shall be paid notwithstanding an adverse decision to the applicant on an Appeal, the abandonment of the proceedings by the applicant, or the denial of the request of an applicant, in whole or in part, by the Plan Commission and/or the Village Board of Trustees.
- D. In addition to the foregoing, the Village may, in its sole discretion, upon receipt of an application for a Variation, Special Use, Special Use – Planned Unit Development, Zoning Amendment or Site Plan Review, require the applicant to deposit with the Village for deposit by the Village into a special account, an advance payment, toward the subsection C development review fees and costs to be incurred by the Village. The amount of such deposit shall be determined by the Village, the receipt of which shall be a condition precedent to the Village's acceptance of an application and the commencement of the development/zoning review process.
- E. From time to time as fees are incurred by the Village, they shall be paid by the Village from said special account and the applicant so notified. At such time as the Village deems necessary, the applicant shall deposit additional monies to the special account. The deposit of such additional monies within ten (10) days of a request therefore shall be a condition precedent to the Village continuing the development/zoning review process.

I, the undersigned, have received this document captioned "Reimbursement of Fees and Costs to the Village of Willow Springs," have read same and fully understand and agree to comply with the provisions contained herein. I further understand, as set forth above, that no final action on my Application will be taken until all fees and costs for which I am obligated to the Village are paid.

DATE

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT

Please print the name of the party responsible for payment of fees and costs:

Address of Subject Property:

Billing Address: 11031 W. 84TH PC Willow Springs, IL 60080

Applicant: Martin Garza

Owner: Martin Garza

Address: 11031 W. 84TH PC Willow Springs, IL 60080

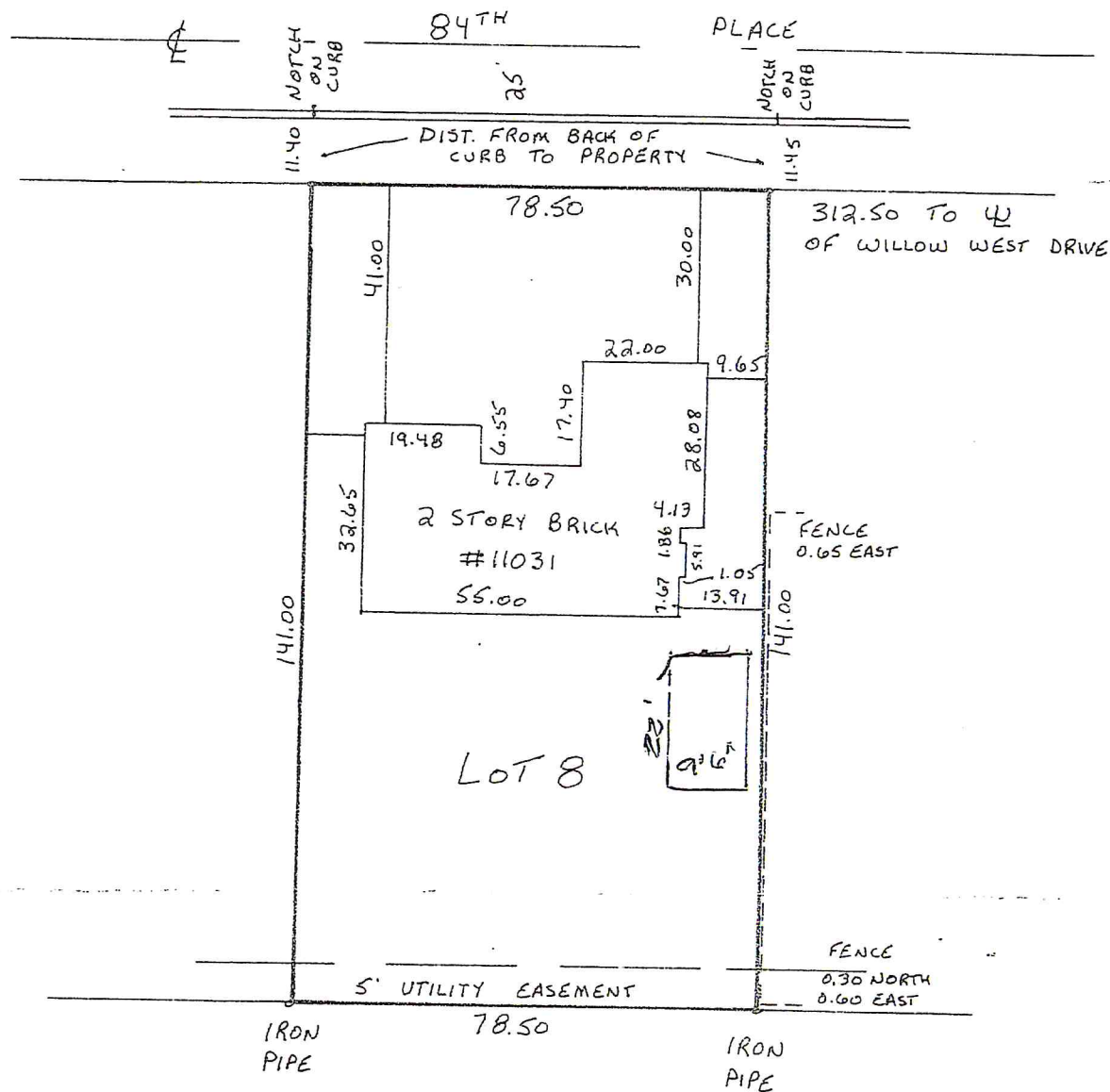
Address: 11031 W. 84TH PC W.S.I.

Phone #: 773-612-4600

Phone #: 773-612-4600



Lot 8 in Willow West Estates Unit No. 3, being a subdivision, of part of the North 1/2, of the South-West 1/4, of Section 32, Township 38 North, Range 12, East of The Third Principal Meridian, in Cook County, Illinois.



ing lines, if any, shown hereon are build-  
ies shown on the recorded subdivision  
onsult local authorities for building lines  
shed by local ordinances.

check Legal Description with Deed and  
any discrepancy immediately.

at is not transferable.

urveyed JUNE 8, 1987

ilding Located JUNE 8, 1987

at No. 87 I74

1" = 30'

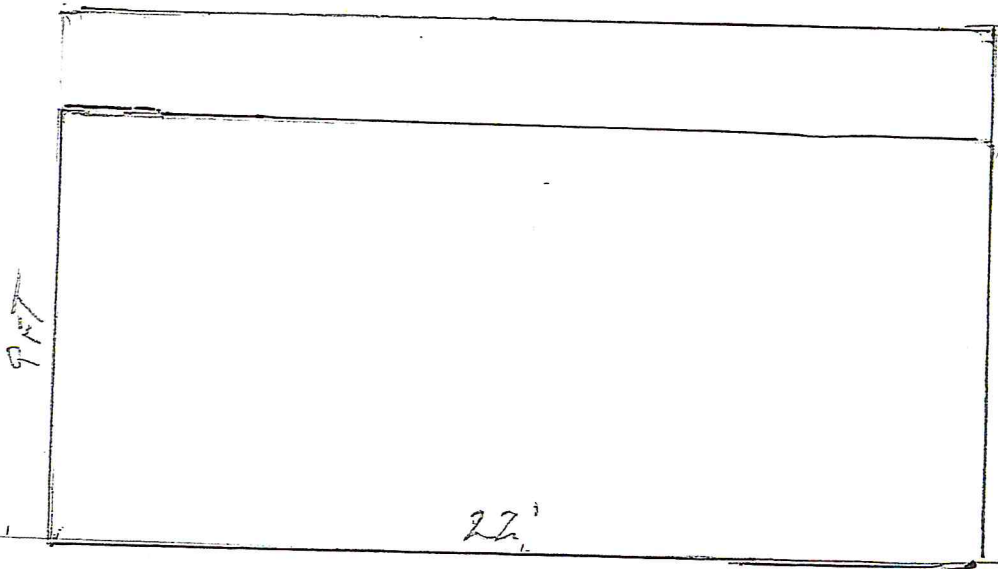
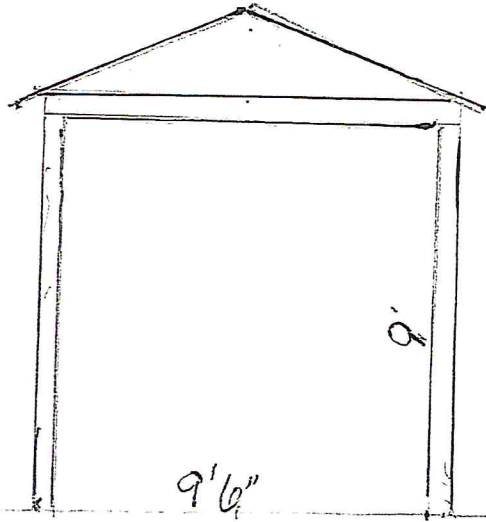


STATE OF ILLINOIS ) ss.  
COUNTY OF COOK )

I, KENNETH F. SCHOMIC, an Illinois Registered Land Surveyor,  
hereby certify that I have surveyed the property described in the  
caption to the plat hereon drawn and that the said plat is a true and  
correct representation of the same.

All dimensions are in feet and decimal parts of a foot and are  
corrected to a temperature of 68 degrees Fahrenheit. Dimensions  
shown on buildings are to the outside of buildings.

*Kenneth F. Schomic*  
REGISTERED ILLINOIS LAND SURVEYOR  
CERTIFICATE NO 1540



**TOTAL PAYMENT DUE****\$3,123.54**

By 08/01/16 (on time)

**2015 Second Installment Property Tax Bill**

Property Index Number (PIN)	Volume	Code	Tax Year	(Payable In)	Township	Classification
18-32-307-017-0000	084	21085	2015	(2016)	LYONS	2-78

<b>IF PAYING LATE, PLEASE PAY</b>	08/02/16-09/01/16	09/02/16-10/01/16	10/02/16-11/01/16	<b>LATE INTEREST IS 1.5% PER MONTH, BY STATE LAW</b>
	\$3,170.39	\$3,217.24	\$3,264.09	

**TAXING DISTRICT BREAKDOWN**

Taxing District	2015 Tax	2015 Rate	2015 %	Pension	2014 Tax
<b>MISCELLANEOUS TAXES</b>					
Des Plaines Valley Mosq Abate Dist Lyons	13.35	0.017	0.19%	0.78	13.77
Metro Water Reclamation Dist of Chicago	334.50	0.426	4.73%	34.54	369.95
Pleasantdale Park District Burr Ridge	314.87	0.401	4.45%		331.23
<b>Miscellaneous Taxes Total</b>	<b>662.72</b>	<b>0.844</b>	<b>9.37%</b>		<b>714.95</b>
<b>SCHOOL TAXES</b>					
DuPage Comm College 502 Roselle Burr Rdg	244.20	0.311	3.45%		275.31
Lyons Township High School District 204	1,909.66	2.432	27.02%	60.46	1,999.45
Pleasantdale SD 107 Burr Ridge/La Grange	2,098.89	2.673	29.69%	43.18	1,955.58
<b>School Taxes Total</b>	<b>4,252.75</b>	<b>5.416</b>	<b>60.16%</b>		<b>4,230.34</b>
<b>MUNICIPALITY/TOWNSHIP TAXES</b>					
Village of Willow Springs	1,452.66	1.850	20.55%	167.25	1,480.66
Lyons Mental Health	90.30	0.115	1.28%		96.36
Road & Bridge Lyons	38.48	0.049	0.54%		41.30
General Assistance Lyons	2.36	0.003	0.03%		2.58
Town of Lyons	54.97	0.070	0.78%		58.50
<b>Municipality/Township Taxes Total</b>	<b>1,638.77</b>	<b>2.087</b>	<b>23.18%</b>		<b>1,679.40</b>
<b>COOK COUNTY TAXES</b>					
Cook County Forest Preserve District	54.18	0.069	0.77%	1.57	59.36
Consolidated Elections	26.70	0.034	0.38%		0.00
County of Cook	226.91	0.289	3.22%	81.66	254.68
Cook County Public Safety	115.43	0.147	1.63%		207.34
Cook County Health Facilities	91.09	0.116	1.29%		26.67
<b>Cook County Taxes Total</b>	<b>514.31</b>	<b>0.655</b>	<b>7.29%</b>		<b>548.05</b>
<b>(Do not pay these totals)</b>	<b>7,068.55</b>	<b>9.002</b>	<b>100.00%</b>		<b>7,172.74</b>

**TAX CALCULATOR**

2014 Assessed Value	36,706	2015 Total Tax Before Exemptions	8,328.83
2015 Property Value	346,720	Homeowner's Exemption	-630.14
2015 Assessment Level	X 10%	Senior Citizen Exemption	-450.10
2015 Assessed Value	34,672	Senior Assessment Freeze Exemption	.00
2015 State Equalization Factor X	2.6685	Disabled Persons Exemption	-180.04
2015 Equalized Assessed Value (EAV)	92,522	2015 Total Tax After Exemptions	7,068.55
2015 Local Tax Rate	X 9.002%	First Installment	3,945.01
2015 Total Tax Before Exemptions	8,328.83	Second Installment +	3,123.54
		Total 2015 Tax (Payable In 2016)	7,068.55

**IMPORTANT MESSAGES**

- Thank you for your first installment payment of: \$3,945.01 on 02-29-16

**PROPERTY LOCATION**11031 84TH PL  
WILLOW SPRINGS IL 60480 1101**MAILING ADDRESS**MARTIN GARZA  
11031 W 84TH PLACE  
WILLOW SPRGS IL 60480-1101

PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
WILLOW SPRINGS PLANNING AND ZONING COMMISSION

PLEASE TAKE NOTICE that at 7:00 p.m. on December 7, 2016, at the Willow Springs Village Hall, One Village Circle, Willow Springs, Illinois, 60480, the Village of Willow Springs Planning and Zoning Commission will conduct a public hearing on an Application for a Variance Request for the property commonly known as 11031 84<sup>th</sup> Street, in the Village of Willow Springs, Cook County, Illinois, and legally described as follows:

LOT 8 IN WILLOW WEST ESTATES UNIT NO. 3, BEING A SUBDIVISION, OF PART OF THE NORTH  $\frac{1}{2}$ , OF THE SOUTH-WEST  $\frac{1}{4}$ , OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 18-32-307-017-0000

The applicant, Martin Garza, has applied for a variance from the side yard requirements set forth in Section 9A-4-1: R-1 Residence District, D. Area, 2. Side Yard.

Copies of the Application and supporting documents are available for viewing at the Village Clerk's Office, at Village Hall, during normal business hours. Persons wishing to appear at the public hearing may do so in person and shall have an opportunity to be heard.

Thomas Kaptur, Chairman  
Willow Springs Planning and Zoning Commission



# CHICAGO TRIBUNE

media group

Sold To:

OELSON & STERK LTD - CU00412001

3318 W 95th St

Evergreen Park, IL 60805-2233

Bill To:

OELSON & STERK LTD - CU00412001

3318 W 95th St

Evergreen Park, IL 60805-2233

## Certificate of Publication:

Order Number: 4607678

Purchase Order: N/A

State of Illinois - Cook

**Chicago Tribune Media Group** does hereby certify that it is the publisher of the Daily Southtown. The Daily Southtown is a secular newspaper, has been continuously published Daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the County of Cook, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 IL CS 5/5.

This is to certify that a notice, a true copy of which is attached, was published 1 time(s) in the Daily Southtown on Nov 20, 2016.

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

PUBLICATION DATES: Nov 20, 2016.

Daily Southtown

Executed at Chicago, Illinois on this

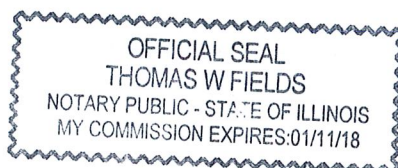
NOV 21 2016

\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_ by  
Day Month Year

**Chicago Tribune Media Group**

Deidra Durham

Notary Public



Chicago Tribune - [chicagotribune.com](http://chicagotribune.com)

435 North Michigan Avenue, Chicago, Illinois 60611

(312) 222-2222 - Fax: (312) 222-4014

**Exhibit 3**

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
WILLOW SPRINGS PLANNING  
AND ZONING COMMISSION**

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Thomas Kaptur, Chairman  
Willow Springs Planning and  
Zoning Commission  
11/20/2016 4607678

4607678

DEC 6 2016  
WILLOW SPRINGS  
IL.60480

THE PURPOSE OF THIS COMMUNICATION IS TO STATE THAT  
I DONT HAVE A PROBLEM WITH MR AND MRS. MARTIN  
GARZA OBTAINING A VARIATION TO BUILD IN THEIR PROPERTY  
OF 11031 W 84 TH PL A SECOND STRUCTURE OR A TOOL SHED FROM THE  
VILLAGE OF WILLOW SPRINGS. THANK YOU VERY MUCH FOR YOUR  
CONSIDERATION.

~~March 4th~~ 1108 W. 11016 W. 84TH PL.  
~~Shirley Dalton~~ 11007 W 84TH PL - tool shed  
~~IVAN TRLEC~~ 1108 " "  
~~Witold Hanko~~ 11000 84 PL  
~~Sam~~ 1101 84 PL  
~~Ralph Barton~~ 11000 W. 85TH ST  
~~Carol J. Barker~~ 11000 W 85TH ST.  
~~Bill Blaney~~ 11008 W. 85TH ST.  
~~Shirley Dalton~~ 11018 85TH ST  
~~Ruford Reese~~ 11078 W. 85TH STREET  
~~Bronko B~~ 1115 84TH PL  
~~Edwin Zim~~ 1114 84 PL Willow Springs  
~~Ed Zim~~ 11109 84 PL Willow SPRINGS  
~~Sup 2 or Boyville~~ 11115 84TH PL  
~~Nora Zimmerman~~ 11037 84th pl Willow Springs

EXHIBIT B  
*Plan and Zoning Recommendation*

**RECOMMENDATION OF THE VILLAGE OF WILLOW SPRINGS  
PLAN AND ZONING COMMISSION TO THE PRESIDENT AND  
BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS**

Dated: December 7, 2016 and February 1, 2017

Applicant: Martin Garza

Property: 11031 W. 84<sup>th</sup> Place, Willow Springs, Illinois  
P.I.N.: 18-32-307-017-0000

Current Zoning: Residential R-1

Request for Hearing: Variance-encroachment of side yard.

Public Hearing: A public hearing was held on December 7, 2016 and continued to February 1, 2017. Present at the hearing was Chairman Kaptur, Commissioners Haugen, Wendell, Greenberg and Suero, Building Commissioner Keslin, Village Administrator Murray, and Village Attorney McGrath. The hearing was properly posted and noticed, a copy of the application was marked as Exhibit 1, the Public Notice was marked as Exhibit 2, and the Publication in the Chicago Tribune was marked as Exhibit 3.

Plans Submitted: The applicant represented himself and appeared before the Commission. Mr. Garza explained he wanted to build a shed to store his boat in the off season. The required setback is 5 feet off of the property line. Mr. Garza wants to build the shed closer to the property line explaining it is necessary in order to back his boat into the shed, if the shed is further from the property line he will not be able to back his boat up and make the turn into the shed without hitting his house or the current fence along the property line. Building Commissioner Keslin viewed the area and stated the shed, construction of which began before any permit was issued, is 8 inches off of the property line. There was much discussion regarding the location of the fence being a few inches over the property line. Mr. Garza presented a survey that had the shed hand drawn on the survey. There was discussion on the size of the shed and Mr. Garza presented many photographs of sheds in other residences and stated there are approximately 30 sheds in the area. Mr. Garza also submitted a petition signed by approximately 15 neighbors who have no objection to the building of the shed, marked as Exhibit 4. After discussion Mr. Keslin stated the size of the shed is not the issue, it complies with the Village Code, it's the location of the shed in relation to the property line that is at issue. He explained Mr. Garza is seeking a 4 foot 4 inch variance which is over 80% of what the code requires. Mr. Ron Gearboldy, 1120 85<sup>th</sup> Street, he had questions as to how the shed was being built without a permit and asked how it will be finished. He also stated if the shed is built near the side yard as depicted he would rather it be built further back in the yard. Mr. Robert Markman, 11042 W. 85<sup>th</sup> Street, his backyard backs up to Mr. Garza's. He asked what



the hardship was for the variance and stated Mr. Garza already has a shed on his property. He also took issue with the size of the shed to be built. Mr. John Wilimczyk lives across the street and stated he has no issue with the size or location of the shed. Mr. Keslin indicated the shed is in character with the neighborhood, and stated residents are only allowed one shed and one detached garage, given the size of the structure he would consider this a garage. Mr. Garza explained he talked to Cook County about the permit process and paid the county for a permit to build a canopy and thought the permit would be mailed. He is aware the fine for building the shed without a permit is 1% of the cost of construction. Chairman Kaptur made a motion for a survey to be done to determine the distance between the side yard and the side of the shed, the motion was seconded by Commissioner Haugen and passed 5-0. Meeting adjourned at 8 pm.


On February 1, 2017 the public hearing was opened on the same matter, with all of the same Plan Commission members present, along with Mr. Garza, Mr. Keslin, Village Administrator Murray and Attorney McGrath. Chairman Kaptur indicated he viewed the property and met with Mr. Garza. During that meeting Mr. Garza agreed to move the shed away from the property line but the distance to be moved is still at issue. Chairman Kaptur stated he would be willing to grant a 50% variance which would mean the shed would have to be 2.5 feet off of the lot line. He also requested that the shed be moved back 2 feet. Mr. Garza stated he wants a 60% variance meaning the shed would be 2 feet off of the property line with a 3 foot encroachment. Other properties were discussed and the variances granted to them however Mr. Garza was informed each petition is treated independently, moreover the property he was referring to was a corner lot which is completely distinguishable from his. Robert Markham lives on the street and stated the shed was too big. He was advised the size of the shed meets the Villages code requirements.

Public Comment: None.

Recommendation: Chairman Kaptur made a motion to grant a 50% variance, subject to measurements and approval of Mr. Keslin, the motion was seconded by Commissioner Haugen and passed by a 5-0 vote.

Respectfully Submitted,

Village of Willow Springs  
Plan and Zoning Commission

By:   
Thomas Kaptur, Chairman